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AUTHOR Baron, Dennis
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ABSTRACT

English has historically been accepted as the de facto language standard for the United States. Legislative efforts have attempted to manipulate language in this country, and there is presently an attempt to introduce a constitutional amendment making English the official language of the United States. Supporters of the amendment stress problems of miscommunication in a polyglot society, urge national unity, and emphasize the need to assimilate foreign populations. Opponents see the amendment as an effort not so much to promote English as to exclude certain non-English speaking immigrants, notably Hispanics and Asians, from our society. Adopting the amendment will not facilitate the adoption of English but may deter English learning by isolating non-English speakers further from the American mainstream. (Author/MSE)

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Dennis Baron
Department of English
University of Illinois
608 South Wright Street
Urbana, Illinois 61801

# The English Language Amendment:

## Backgrounds and Prospects

Paper presented at the 22nd
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**Dennis Baron**

**Professor of English and Linguistics**
**Director of Rhetoric**
**University of Illinois at Urbana-Champaign**

No matter what we think of the relationship between the English language and the speakers of English, Americans agree that English is the national language of the United States.[1] Many, however, are surprised to discover that we have no law that makes English the official language of the country. Occasionally there have been attempts to pass such a law.

In November of 1986 the voters of California passed a referendum, known as Proposition 63, making English the official language of the state. Some three-quarters of the electorate voted to make it so, which perhaps is only to be expected, for most people in the United States either speak English or feel a need

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[1] An abridged version of this essay was presented at the TESOL Conference in Chicago in March, 1988. A preliminary version of this paper, "Federal English," appeared in the *Brandeis Review* 6 (Spring, 1987), pp. 18-21. Portions of this paper will appear in my book, *English First: The Official Language Question in America* (forthcoming).

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to learn it, and many view such a language law as a simple reflex issue, like voting in favor of apple pie. For others, both those who support the English first, or English only, movement, and those who oppose the establishment of English, the official language question has become a matter of deep concern.

California was not the first state to designate an official language. Illinois, Indiana, Kentucky, Nebraska, and Virginia already had such laws on their books. The question of an official language is now before us at the national level, as well, in the form of the English Language Amendment to the U. S. constitution (the ELA), first proposed in 1981 by then-Senator S. I. Hayakawa, of California, well known for his writings on semantics. The amendment would establish once and for all the primacy of English, defending it against the imagined onslaught of competing languages, and requiring the learning of English by immigrants.

On the surface, these seem laudable aims. After all, the ELA makes legal what happens anyway. There have always been non-English speakers in the United States, and those groups who have come to this country as permanent residents have always adopted English, a process which often takes three generations to complete. But the ELA is creating just the kind of furor we might expect from a constitutional amendment. Overshadowing and to some extent preventing any dispassionate consideration of the ELA on its own merits, the amendment, turning on such controversial social issues as bilingual education and immigration policy, language loyalty and patriotism, provokes heated and sometimes irrational debate among legislators, civic leaders, newspaper columnists, educators, and the public at large. To point to one blatant example, audience and panelists almost came to blows when the television talk-show host Phil Donahue broadcast a program on the official language question from Miami in 1985. While no action has been taken in Congress on the ELA, official language laws were recently passed in Arkansas and defeated in Texas, Oklahoma, and Louisiana. In 1986 the issue was discussed in 37

state legislatures. It is clear that for now, at least, the ELA is not just going to go away.

**The Official Language Question**

For a little more than two hundred years, the United States of America has gotten by without an official language. The founders of the United States chose not to designate English as the national language either in the Constitution or in subsequent federal law. Throughout our history, American English speakers, while always vitally concerned with correctness and standardization, have shied away from any form of official language tinkering, rejecting the notion of language academies or state-approved grammars, dictionaries, and spellers, and now both the National Council of Teachers of English and the Modern Language Association have gone on record opposing English-only legislation.

But this reluctance to privilege or mold English does not mean that on the occasions when official American policy tolerates or promotes minority languages, it does so out of any sympathy for cultural pluralism. It was always clear to our leaders that national and linguistic unity went hand in hand, and the United States was never envisioned as permanently multilingual. Practically speaking, we have had to recognize, sometimes officially, sometimes unofficially, the presence of large numbers of non-English speakers on American soil, granting them certain linguistic and cultural rights while at the same time integrating them into the mainstream of American society. The presence of non-English-speaking populations has often promoted official tolerance in the interests of producing an informed citizenry, maintaining efficient communication, and assuring public safety. Nonetheless, English has always been the de facto standard in the United States as a whole, and public policy has dealt with bilingualism as a temporary, transitional facet of assimilation, just as English-firsters would have wanted it,

and just as those nonanglophones who come to the United States intending to stay view the situation as well.

**English or American?**

Throughout our history, we have cycled between policies of bilingual tolerance and an intolerant, English-only approach on the part of local, state, and federal governments. Anti-British sentiment after the Revolutionary War led to suggestions that the newly emerging nation speak a language different from English. Some reformers advocated Hebrew, felt by many eighteenth-century language experts to be the original, Edenic language. Other anti-English patriots suggested Greek, the language of what was seen as the world's first and most prestigious democracy, or French, considered by many, and particularly by the French, to be the language of pure rationality. The impracticality of converting Americans to any new language was always clear, however, and one revolutionary wag advised that we retain English for ourselves and instead force the British to learn Greek.

More popular than giving up English altogether was the insistence by Noah Webster, among others, that we rename our speech *American* rather than *English.* In 1789 Webster was so pro-American that he urged his compatriots to reject British linguistic standards simply because of their association with colonial oppression, even when those standards were demonstrably correct. In the same vein, John Adams predicted that our republican form of government would produce linguistic as well as social perfection, while the British monarchy and British English would continue to decay.

At the start of his language career, Webster envisioned creating a uniform American standard language, free of dialect variation or foreign (particularly French) impurities, and rational in its spelling and grammar. To this end he wrote

a series of Federal textbooks, a speller, a grammar, and a reader, using American spellings, place names, and authors instead of British, and published at home rather than overseas. Webster campaigned to have his series adopted in all the states and endorsed by Congress and the universities.

Although he does not allude to the situation in Europe, Webster may have been influenced by French attempts at linguistic centralization as much as by his anti-British fervor. The French Academy had been authorized to produce official language texts, a dictionary, a grammar, and a guide to usage. It attacked this mission with renewed vigor after the French Revolution, partly out of a new national spirit, but also as a means of distancing itself from the *ancien regime*, and it did produce a new edition of its dictionary in the year VII, with an appropriately revolutionary preface. The Academy's grammar did not appear until the 1930s, and none of the academic texts ever achieved the universality intended for them.

Webster also failed in his grandiose scheme to establish a uniform set of approved textbooks. Competition from other texts, both British and American, was simply too stiff, and the states did not pursue the kind of national, educational and linguistic uniformity Webster supported. Nonetheless, he was instrumental in passing the first American copyright laws and in encouraging the purchase of American rather than British books.

Of course not all Americans were so hostile to the mother country. Joseph Emerson Worcester, Noah Webster's arch rival in lexicography, believed that the only practical English standard was that of London and the royal court, and many nineteenth-century language commentators on both sides of the Atlantic rejected the notion of a separate, Federal English, emphasizing instead the common heritage of the two tongues. Nonetheless, George Bernard Shaw's comment that England and America were two countries separated by a common language is particularly

apt, for each national group continued to decry the linguistic barbarities perpetrated by its transatlantic cousins.

Even Webster's radical position on British English eventually softened. He named his great lexicon of 1828 *An American Dictionary of the English Language,* and during a trip to England to promote his publications, Webster, a master of marketing technique, claimed that the few differences between the two varieties of English were trivial and superficial. Despite Webster's change of heart, sentiment for an *American* rather than an *English* language surfaces sporadically in the nineteenth and twentieth centuries. There were *American Grammars* and *Columbian Grammars, American Spellers* (including Webster's own blue-backed speller, originally titled *An American Spelling Book*), even, as we have seen, an *American Primer* written by Walt Whitman. H. L. Mencken's popular study of our speech, *The American Language,* first published in 1919, went through four editions and two supplements, as well as an updated abridgement, and is still in print today.

**Language and the Law**

Although language has often been a controversial issue in American history, legislative attempts to manipulate language have not generally succeeded. Perhaps the most pervasive English language reform movement involved spelling simplification. Webster was a proponent of this, as were many well-known literary and political figures of the English-speaking world, including Benjamin Franklin, Samuel Clemens, George Bernard Shaw, Isaac K. Funk (of the Funk and Wagnalls *Standard Dictionary*), and Andrew Carnegie. During the later nineteenth century there were a number of failed attempts to get the U. S. Congress to make simplified English spelling the law of the land. In 1906, President Theodore Roosevelt issued an Executive Order forcing the Government Printing Office to

adopt simplified spelling, but he met with so much public resistance that the order had to be withdrawn.

Other language legislation pertains to the official name of our unofficial language. In 1923, Montana Representative Washington Jay McCormick introduced a bill in the U. S. Congress to make *American* the nation's official tongue, and to amend all congressional acts and government regulations substituting *American* for *English* in references to language. McCormick's anglophobia is reminiscent of Webster's. Not only does he advocate dropping all references to the English language, he urges us to do away with any usage that suggests British influence. McCormick hoped to "supplement the political emancipation of '76 by the mental emancipation of '23," and he advised our writers to "drop their top-coats, spats, and swagger-sticks, and assume occasionally their buckskin, moccasins, and tomahawks."

McCormick's bill died in committee, but *American* was clearly in the air in 1923, and similar bills appeared in a number of state legislatures that year. All but one failed: State Senator Frank Ryan of Illinois did manage to push through a law making American, and not English, the official language of the State of Illinois. In its initial form, Ryan's bill was virulently anti-British. Its *whereases* attack those American Tories "who have never become reconciled to our republican institutions and have ever clung to the tradition of King and Empire." According to Ryan, such Anglophiles foster racism and defeat the attempts of American patriots "to weld the racial units into a solid American nation."

The bill as finally worded was toned down considerably, though its original sentiment was clearly unaltered. The Brit-bashing clauses were replaced by a paean to America as the world's welcoming haven. A final paragraph justified changing the name of our language because immigrants to the United States considered our institutions and language to be American. Despite its passage, the Illinois law produced no sweeping changes in usage in the state, where English

rather than American continued to be taught in the public schools, albeit illegally, and it was quietly repealed in 1969, when English once again became the official state language.

**The Politics of Bilingualism**

Just as 1923 was the year of "American," it was also the year that saw a U. S. Supreme Court decision, *Meyer v. Nebraska*, supporting foreign language instruction in American schools, a decision reacting against the English-only sentiment that was then sweeping the country. During and after World War I there was much negative feeling toward German, Polish, and the Scandinavian languages. Local ordinances were passed forbidding the use of German, and one governor's proclamation went so far as to ban all foreign languages in public or on the telephone, a more public instrument then that it is now. Even earlier, in the nineteenth century, some states passed laws requiring that instruction in private as well as public schools be restricted to English, and after World War I sentiment against foreign languages was so negative that some areas banned all foreign language instruction, and a number of states had to pass special legislation to permit languages in school curricula (Kloss, 1977).

Tempering the English-only fervor, however, was the fact that American politicians have always sensed the advantages of communicating in the various languages of their constituents. From the outset, important documents like the Articles of Confederation, and a good number of our laws, have been translated into minority languages by federal, state, and territorial governments. The early proceedings of the Continental Congress were published in German, for example, and in French as well, possibly with a view toward attracting the Quebecois as future fellow-citizens.

In contrast, many Americans then, as now, reacted to nonanglophones with fear and intolerance. Benjamin Franklin commented on the German settlement in Pennsylvania with some anxiety: "Why should Pennsylvania, founded by the English, become a colony of aliens, who will shortly be so numerous as to Germanize us instead of our Anglifying them, and will never adopt our language or customs any more than they can acquire our complexion?" In 1795, a proposal in Congress to print all federal laws in German as well as English lost by only one vote. Known as "the German Vote" or "the Muhlenberg Vote," after the speaker of the house who reportedly stepped down to cast the deciding negative, this event has been transmuted by pro-English folk tradition into a myth that German came close to replacing English as our national language. This myth was alluded to as a fact demonstrating the tenuous position of English in the new nation by a correspondent in a recent Ann Landers column, though the date was changed to the more patriotically crucial year of 1776.

In perspective, English speakers have been selective in their attitudes toward other languages. At various times they have generally proved more tolerant of the language rights of older, established groups, while decrying the supposed unwillingness of newer immigrants to learn English and assimilate into American society. French was protected by the Louisiana Constitution of 1845, and Spanish was an official language of New Mexico before 1900. Many states either tolerated or actively supported non-English grade schools for speakers of French, German or Spanish. German regiments, using German as the language of command, served in the Civil War. During World War I, the treasury department advertised bonds in every language spoken in the country, and Franklin Roosevelt used the non-English press to publicize his New Deal policies.

Despite such bilingual tolerance, whenever English speakers feel threatened by increased numbers of non-Anglophones, they take action to promote English or

to curb competing languages. For example, one unwritten criterion for statehood has always been the presence in a territory of a clear majority of English speakers, a factor which delayed statehood for Michigan (initially settled by the French), New Mexico (forced because of its Spanish and Native American populations to wait for statehood until 1912 though it was annexed in 1848), and most recently, Hawaii (annexed in 1898, it achieved statehood in 1959), and still prevents it for Puerto Rico. While New Mexico was never officially a bilingual state, several provisions of the constitution of 1912 protect Spanish speakers while attempting to move them toward fluency in English. Louisiana is the only territory that was granted statehood (in 1812) while its Anglo-Saxon population was outnumbered, though one historian suggests that in 1807 Jefferson entertained the idea of settling 30,000 English speakers in the territory to create an instant English-speaking majority (Kloss, 1977).

The same erroneous claims made today against America's Spanish and Oriental populations, that they maintain alien cultural and linguistic ways in defiance of their obligations as residents or citizens, were lodged against the southern and central European immigrants of generations past, and language restrictions such as tests of literacy and English pronunciation were imposed to limit the access of certain ethnic and religious groups to voting and employment. The New York City public schools were particularly affected by such pronunciation screening, and for a generation or two only those who could master a stilted, hypercorrect form of speech were licensed to teach there. As recently as the 1950s, students preparing for careers in education at a major midwestern university were advised not to seek employment in New York because their midwestern accents would immediately disqualify them. In addition, students with any sort of perceptible accent, whether foreign or domestic, were diagnosed as

having speech defects and were sent in droves to speech pathologists for remediation.

Just as the schools sought to admit only proper speakers to the teaching ranks, the linguistically elite staff so chosen did what they could to modify the language habits of their pupils. A number of specific varieties of English as it is used both by native-speakers and by immigrants have come under censure through the agency of the public schools. During the immigration boom of the late nineteenth and early twentieth centuries, the schools presented a more or less uniform English-only stance. They were supported in this by psychologists who, drawing evidence from flagrantly biased testing instruments, viewed bilingualism as a liability, and concluded either that non-English speakers were genetically inferior in intelligence or that bilinguals suffered impaired intellectual development because of internal language competition (Hakuta, 1986). The only curricular hints at the presence in the classroom of non-native English speakers were lists of errors in pronunciation, diction and grammar likely to be made by members of the various immigrant groups.

In addition, northern urban schools sought to eradicate traces of undesirable southern speech that might appear in students who had migrated from the south. In many cases, these students were black as well as southern, and the practical effect of this policy was to stigmatize the language of American blacks. Speakers of Black English were often accused of speaking English either poorly or not at all. Again, in the 1950s, leading American educational psychologists claimed that black children failed in schools because they had no language whatsoever. The Ann Arbor, or King decision of 1979 is frequently cited by those not familiar with the case as promoting Black English rather than standard English as the language of school instruction. Nothing could be farther from the truth: although the federal court decision affirmed the status of Black English as a legitimate variety of

English, it ordered the Ann Arbor School Board to provide its teachers with the best existing linguistic knowledge so that they could more effectively educate their students "to read in the standard English of the school, the commercial world, the arts, sciences and professions" (Bailey, 1983).

**A Law with Teeth**

What makes California's *Proposition 63* different from earlier official language acts like that of Illinois is the fact that the California law has teeth. It amends the state constitution to prevent the legislature from passing laws diminishing or ignoring English, but more important, it allows any individual or business within the state to sue if the law is violated. U. S. English, the group that led the fight for the passage of Proposition 63, is preparing to sue Los Angeles and San Francisco for alleged violations of the language law.

While the supporters of U. S. English and the new California statute deny that their efforts are aimed at the state's highly visible Hispanic and Asian communities, the group's fund-raising questionnaire, the "National Opinion Survey on Language Usage in the United States," targets the languages of these groups. The survey asks *What is the language in which you ordinarily think, speak, and write?* and, although the 1980 U. S. Census lists Spanish, followed by Italian, German, French, and Polish as the most frequently spoken non-English "home" languages, the survey proposes as responses, besides English, only Spanish, Chinese, Korean, Vietnamese, and *other*. U. S. English was formerly chaired by a physician whose concern that too many of the world's non-European tired, poor, huddled masses are making it to these shores led him to found the Federation for American Immigration Reform, known by the ironic acronym of FAIR.

By linking immigration with the question of a national language, the current English-first debate does not differ much from earlier attempts to deal

with the fact that the United States is and has always been a multilingual country whose basic language is English. Furthermore, while many believe that the ELA is aimed primarily at Spanish speakers, recent studies show that Spanish speakers rapidly adopt English, and that Spanish can be maintained as a minority language only as long as Spanish immigration continues (Marshall, 1986). Spanish is then no different from any of our other minority languages. However, researchers are now finding that the large numbers of hispanics who have become monolingual English speakers are not benefiting from their linguistic competence in terms of increased salaries and job opportunities: apparently the discrimination against them is deeper than language alone.

The ELA's backers press the de facto status of English as our official language and stress the problems of miscommunication and non-communication in a polyglot society. Pointing to the social strife in multilingual countries like India, Belgium, and Canada, they warn that without legislation protecting English, similar social disruption will occur at home. In contrast, opponents, who also accept a de facto official English, argue that the ELA defends English against an imaginary foe. They see the amendment as attacking the new waves of non-anglophone, non-Anglo immigrants coming to our shores. According to its detractors, the ELA subverts the traditional American tolerance of native-language maintenance needed for an orderly transition to English, making the sometimes slow process of entering the mainstream slower still, if not impossible. They note that unrest and violence have only occurred abroad when language rights previously enjoyed by an area's citizens are suddenly revoked in order to promote an official language, and darkly hint that the ELA will do more harm than good to the fabric of American society.

Compounding the problem, the rational appeal of one nation speaking one language also attracts to the ELA the support of well-meaning citizens--perhaps a majority of Americans, English and non-English speakers alike--who find the idea

of linguistic and ethnic prejudice otherwise abhorrent. It is clear that these well-meaning citizens, including a majority of the state's school teachers, and not the radical fringe, are responsible for the massive support given Proposition 63.

One obstacle to the ELA's success is the uncertainty over its effect. On one hand, it might simply prove symbolic. In the case of Arkansas and Illinois, Official English laws have not restricted minority language rights or interfered with the assimilation process. On the other hand, it is not clear that either the House or Senate version of the ELA has been framed to anticipate undesirable interpretations. The House and Senate versions of the proposed English Language Amendment, or ELA, are quite different. The Senate version, which simply establishes English, need not affect the status of other languages. It should not put bilingual education programs in jeopardy, nor should it require that ballots, street signs, and emergency services in multilingual areas be limited to English. However, the House version specifically prohibits the use of any language other than English except as a means of establishing English proficiency. This could restrict the use of multilingual tests, forms and ballots, as well as translators for legal and emergency services. The ELA might change language use in America profoundly: one legal analyst concludes that an extreme interpretation of the ELA might not only outlaw foreign language requirements in college curricula, it could prevent the voluntary teaching of any foreign language except for the limited purpose of helping a non-English speaker to learn English (Marshall, 1986). Ironically, adopting the ELA may not only fail to facilitate the adoption of English, it may in fact deter the learning of English by isolating non-English speakers further from the American mainstream.

On balance, the benefits of an English-only amendment are not entirely clear. That the framers of the Constitution, who dealt with the same problems of multilingualism that face us today, chose not to adopt an English-first stance, is

instructive: their attitude should lead us to question the necessity of an amendment whose purpose seems not linguistic but culturally and politically isolationist in its thrust.

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